

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF
WASHINGTON AT SEATTLE

JOHN DOE, on behalf of his minor child JACK
DOE, and on behalf of others similarly situated,

Plaintiff,

v.

FRED HUTCHINSON CANCER CENTER;
UNIVERSITY OF WASHINGTON SCHOOL
OF MEDICINE; UW MEDICAL CENTER;
HARBORVIEW MEDICAL CENTER;
VALLEY MEDICAL CENTER; UW
PHYSICIANS; UW NEIGHBORHOOD
CLINICS(d/b/a UW MEDICINE PRIMARY
CARE); AIRLIFT NORTHWEST; and
CHILDREN’S UNIVERSITY MEDICAL
GROUP,

Defendants.

NO. 2:23-cv-01893-JHC

**ORDER GRANTING JOINT
MOTION TO APPOINT INTERIM
CLASS COUNSEL**

ROBERT AYERS, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

FRED HUTCHINSON CANCER CENTER,

Defendant.

NO. 2:23-cv-01916-JHC

JONATHAN HUNTER, individually and on
behalf of all others similarly situated,

NO. 2:23-cv-01988-JHC

Plaintiff,

v.

FRED HUTCHINSON CANCER CENTER, a
Washington Nonprofit Corporation,

Defendant.

GARY HOLZ, JOEL GUAY, and GLORIA
MONCRIEF, individually and on behalf of all
others similarly situated,

NO. 2:23-cv-01998-JHC

Plaintiff,

v.

FRED HUTCHINSON CANCER CENTER, a
Washington Nonprofit Corporation,

Defendant.

This matter comes before the Court on Plaintiffs' Unopposed Joint Motion to
Appoint Interim Class Counsel. (Dkt. No. 6.) The plaintiffs in four different actions filed
against Defendant Fred Hutchinson Cancer Center ask the Court to appoint a Plaintiffs
Steering Committee pursuant to Rule 23(g) of the Federal Rules of Civil Procedure. Having
reviewed the Motion and all supporting materials, and the criteria set forth in Federal Rule of
Civil Procedure 23(g), the Court GRANTS the Motion as set forth below:

1. Pursuant to Rule 23(g), the Court hereby appoints the following attorneys to
serve as Interim Class Counsel:

Co-Chairs of Plaintiffs' Steering Committee:

Kim D. Stephens of Tousley Brain Stephens PLLC;

M. Anderson Berry of Clayco C. Arnold PC;

Members of Plaintiffs' Steering Committee:

Raina Borrelli of Turke & Strauss LLP;

Ashley Crooks of Hausfeld LLP;

Gary Klinger of Milberg Coleman Bryson Phillips Grossman, PLLC, and

Brian Gudmundson of Zimmerman Reed LLP.

2. The above-named attorneys meet the requirements of Rule 23(g), are designated to act on behalf of the putative class before determining whether to certify the class as a class action, and shall serve as Interim Class Counsel with responsibility for managing the distribution of work among Plaintiffs' counsel and overseeing compliance with the duties and responsibilities set forth herein. The duties and responsibilities of Interim Class Counsel are as follows:

- a) Direct and manage pretrial proceedings on behalf of all plaintiffs, including the briefing and argument of motions and the conduct of all types of discovery proceedings;
- b) Make all work assignments on behalf of Plaintiffs in a manner to promote the orderly and efficient conduct of this litigation and to avoid unnecessary duplication and expense.
- c) Delegate work responsibilities to other plaintiffs' counsel, and monitor the activities of all plaintiffs' counsel to assure that plaintiffs' pretrial preparation is conducted effectively, efficiently, and economically, that schedules are met, and that unnecessary expenditures of time and expense are avoided;
- d) Determine and present (in pleadings, motions, briefs, oral argument, or such other fashion as may be appropriate, personally or by a designee) to the Court and opposing parties the position of the Plaintiffs on all matters arising during pretrial (and if appropriate, trial) proceedings;


- e) Initiate, coordinate, and conduct all pretrial discovery on behalf of Plaintiffs in this consolidated litigation, including the preparation of joint interrogatories and requests for production of documents, and the examination of witnesses in depositions, and direct and coordinate the conduct of all types of discovery proceedings’
- f) Consult with and employ consultants or experts, as necessary;
- g) Coordinate with plaintiffs’ counsel in management of the litigation and fund the necessary and appropriate costs of discovery and other common benefit efforts;
- h) Coordinate settlement discussions or other dispute resolution efforts on behalf of plaintiffs, under the Court’s supervision, if and as appropriate;
- i) Enter into stipulations with other parties as necessary for the conduct of the litigation;
- j) Prepare and distribute to the plaintiffs and counsel periodic status reports;
- k) Maintain adequate time and disbursement records covering services as appointed counsel; and
- l) Perform such other duties as may be incidental to proper coordination with the other plaintiffs’ counsel with respect to plaintiffs’ pretrial activities or as authorized by further Order of the Court.

3. The Court may amend or expand the Plaintiffs’ Executive Committee upon request from Interim Class Counsel or on the Court’s own motion, if and as circumstances warrant.

4. Unless otherwise ordered by the Court upon a showing of good cause, this Order shall apply to any action filed in, transferred to, or removed to this Court which relates to the subject matter at issue in this case.

1 IT IS SO ORDERED.

2 DATED: January 5, 2024

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4 THE HONORABLE UNITED STATES
5 DISTRICT COURT JUDGE FOR THE
6 WESTERN DISTRICT OF WASHINGTON

7 Presented By:

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14 **pro hac vice forthcoming*